

REMARKS

Applicants acknowledge the Examiner's careful consideration of this application and the detailed Office Action.

Applicants respectfully request reconsideration and withdrawal of all rejections and objections, and a notice of allowance.

Applicants acknowledge with appreciation the Examiner's courtesy during an initial telephone discussion on July 14, 2004 and during the telephone interview held on or about July 22, 2004. As discussed initially on July 14, 2004 a solid substrate distinguished over the references (Kelman, Barron, Johnson, Billius etc.) that require foraminous screens as the substrate and the like. Attention was drawn to the Figures. The Examiner requested an opportunity to consider this further and a follow-up discussion was conducted on or about July 22, 2004. Based on the discussion of July 22, 2004, Applicants understand that the Examiner has agreed to withdraw reliance on such references, whereby rejections resting in whole or in part on such references are now withdrawn. Applicants understand the Examiner still reserved consideration of the rejection(s) based on the Hall et al. reference.

On July 28, 2004, Applicants provided the Examiner with a courtesy copy of a brochure from Binks ("Binks Model 2001 and 2001V Spray Guns"), the definition of spray coating from CRC, and extracts from the Hall reference. These materials were submitted because the Hall reference refers to making a 'coating' and to a 'spray coating system' (column 1, circa line 10 and column 2, circa line 55). The coating and spray coating system as disclosed in Hall concern neither preforms (such as, for instance, a reinforcing insert or structural part) nor a method for making a preform. Spray coating is defined by the CRC as "[t]he application of a spray coating, such as a gel coat, to a substrate by means of a spray gun." A gel coating is not a preform. The Hall reference refers to Binks at column 3, lines 40-42.

A brochure depicting what appears to be a powdered preform process using plenum chambers and foraminous screens is attached. It would appear no more germane than the references to Kelman, Barron, Johnson and/or Billius. The brochure refers to air being

Appl. No. 10/038,771
Amdt. dated September 9, 2004
Reply to Office Action of June 18, 2004

sucked through a screen. However, it is submitted herewith so that the Examiner has an independent opportunity to review the brochure.¹

Applicants have amended claims and propose new claims that carry forward elements based on previously pending claims. Amended claim 1 includes a "." Claims 5, 16 and 28 are re-written as independent claims. Claim 18 as amended presents the feature of former claim 19, and amended claim 19 presents the features of former claim 18. Amended claim 31 refers to solid support as discussed with the Examiner on July 22, 2004. Amended claim 40 refers to concepts already presented to the Examiner and attention is respectfully invited to previously pending claims 16, 18-19 and the specification at page 10 and paragraphs [0048] - [0049]. The spelling of perforated is corrected in amended claim 40. The language 'adapted' in claim 40 is drawn from the Board decision, Ex parte Conner, 215 USPQ (BNA) 385 (BOPI 1981) ("The characterization in the claims that the compositions are "adapted for application to the human skin" imposes a limitation in the claims which cannot be ignored in considering the patentability of the claims.") New claims 44-47 relate to subject matter previously presented in claims 5, 12, 26 and 31.

It is respectfully submitted that the amended and new claims present no new matter, and do not raise new issues.

Non-elected claims 42 and 43 are canceled without prejudice.

Applicants respectfully traverse the rejection of claims 1-5, 7-15, 20-22, 31-34, 38-39 and 41 under 35 U.S.C. §102(b) over U.S. Patent No. 5,579,998 (Hall et al.) and the rejection of claim 6 over a combination of the Hall et al. reference and U.S. Patent No. 5,320,870 to Sorathia.²

Attention is invited to the specification at page 6, paragraph [0034] and the statement "[t]he term preform in this application is intended to cover any structure used as a reinforcing

¹ The IDS Fee of \$180 under 37 CFR 1.17(p) can be charged to our deposit account 06-1135 regarding our order number 7373/72556.

² Applicants also refer to the traversal in the Amendment dated April 21, 2004.

insert or structural support within a composite structural part, which is preferably, but not necessarily, a molded part." The term "preform" is quite different from an ablative coating, a gel coating, or a spray coating as mentioned in Hall et al.³ The ablative coating in Hall et al. is not a reinforcing insert. The ablative coating in Hall et al. is not a structural support in a composite structural part. The ablative coating in Hall et al. is not a molded part.

The Sorathia reference does not describe making a preform, nor making a reinforcing structural insert, nor a structural support. Rather, the Sorathia reference refers to a coating. A 'coating' is not a structural support, nor, for instance, a reinforcing insert, and thus not a preform.

The Hall et al. reference does not describe or suggest a process for making the preform in which the binder and/or reinforcement is also heated during or at any point in time when either or both are being directed towards the solid substrate, or introduced into, or passed through a heat zone or the like. See, e.g., claim 16 or claim 35.

The Hall et al. reference does not describe or suggest a process for making the preform in which heat and pressure are applied. See, e.g., claim 28.

Applicants have endeavored to respond to the matters raised in the Office Action but if a matter has been overlooked, kindly telephone the undersigned so that all matters are resolved, as they should be, to the Examiner's satisfaction.

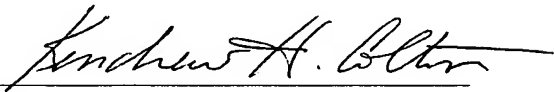
³ The ablative coating in Hall et al. is in an aerospace field and in context is quite vague. For instance, an ablative insulation liner for a smaller diameter solid rocket motor can be relatively thin, such as about the thickness of a quarter or half-dollar. It is applied to an interior surface of a rocket motor casing. The liner is not itself a 'preform' as the term is understood by those who are skilled in the art to which the present invention pertains. The Examiner may wish to note U.S. Patent No. 4,492,779.

Appl. No. 10/038,771
Amdt. dated September 9, 2004
Reply to Office Action of June 18, 2004

Applicants respectfully, but earnestly, solicit a notice of allowance.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By: 

Kendrew H. Colton

Registration No. 30,368

CUSTOMER NO. 42798

FITCH, EVEN, TABIN & FLANNERY
1801 K Street, NW - Suite 401L
Washington, DC 20006-1201
Telephone: (202) 419-7000
Facsimile: (202) 419 -7007